

IDAHO DEPARTMENT OF
HEALTH & WELFAREWe promote and protect the health and safety of
Idahoans

February 2, 2006



Complaint Registration

Why register a complaint?

The opportunity to lodge a complaint provides the public with a mechanism to notify the Bureau of Facility Standards (i.e., State Survey Agency) of a health care provider's failure to provide appropriate care within the framework required by regulation.

We encourage those concerned to address issues with the provider or management staff, such as the administrator, nursing service director, or social service coordinator, prior to registering a formal complaint.

A complaint investigation serves a very important purpose; it identifies noncompliance and leads to correction and improved care for residents. In some instances, it clears the facility/provider of unsubstantiated allegations.

The Bureau has jurisdiction to investigate concerns when there is a correlation between that concern and Licensure or Medicare/Medicaid certification requirements. If the complaint is not related to regulatory requirements, the complainant may be referred to another agency.

How do you file a complaint?

You may call the Bureau of Facility Standards at (208-334-6626). You will be asked to identify the specific provider who is responsible for the care and/or services that are of concern. In instances where the concerns are detailed or complicated, one should also submit those in writing to Bureau of Facility Standards, P.O. Box 83720, Boise Idaho 83720-0036.

What information is needed to file a complaint?

The Bureau must have specific information in order to conduct a thorough investigation. The type of information that is helpful includes, but may not be limited to:

- **Provider/Facility Name and City.** It will be necessary to determine the type of provider, i.e., a Long-term or skilled nursing facility, Intermediate Care Facility for the Mentally Retarded, Residential or Assisted Living facility or other health care provider.
- **Name and Address of the Complainant.** Or indicate the complainant chooses to remain anonymous.
- **Name of the Patient/Resident, when applicable.** This information allows the survey staff to concentrate their efforts to the specific individuals involved in the concerns. The survey staff will handle all investigations as confidential issues to the highest degree possible.
- **Detailed statements that include any or all of the following information:**
 - The nature of the complaint or concern;
 - A list of actual incidents, giving dates, times and places where each occurred;
 - Explanation of the services or care that were not provided;
 - Explanation of any negative outcome(s) to the recipient; and
 - The names of others who witnessed or could provide validation of concerns.

Avoid non-specific statements such as "We are concerned about Mother's money," or, "The employees have an attitude problem."

A concern that could be constituted as **immediate jeopardy** or of a **life-threatening** nature needs to be reported by a phone call to the Bureau of Facility Standards (208-334-6626) immediately. Discussing those concerns with a representative of the Bureau can reduce any risk to the persons involved.

Who can register a complaint?

Complaints come from various sources:

- Relatives
- Friends
- Health and Welfare staff
- Professional organizations
- Board of Nursing
- District Health Departments
- A Congressional Office
- Anyone!
- Residents/clients/beneficiaries
- Ombudsman
- Facility/Provider Employees
- Board of Medicine
- Board of Pharmacy
- News media
- The Governor's Office

What is the nature of issues and concerns received?

The most commonly received complaints are related to:

- Care/Services Delivered
- Staffing
- Food and dietary services
- Sanitation, housekeeping and physical environment
- Resident Rights.

How will the complaint be investigated?

To ensure timely investigation, complaints are assigned a priority by the program supervisor(s). The nature of the complaint will determine the assignment for the investigation. The team assigned will conduct the survey within 10 days to 60 days or the next scheduled survey of the provider. The investigative team conducts the survey in accordance to written protocols for conducting a complaint investigation.

The Bureau of Facility Standards staff is obligated to investigate all complaints in a confidential manner. However, the very nature of the complaint may provide enough information to the facility/provider to "guess" who lodged the complaint. In event of a court order, all portions of the facility/provider record will be disclosed.

Does the complainant need to reveal his or her identity?

A complainant may choose to remain anonymous. Again the nature of the complaint may give the facility/providers clues to why an investigation was generated. When the complainant identity is known, the Bureau of Facility Standards will provide the complainant conclusions and findings of the investigation.

What happens to the results of a complaint investigation?

If the complainant has not chosen to remain anonymous, an investigation report of the findings and conclusions of the complaint are mailed to the complainant, if so requested.

If a complaint is substantiated at the time of the survey, (and non-compliance with the regulations and/or rules is identified) the provider/facility will be issued a *Statement of Deficient Practice*. The statement provides regulation(s) and/or rule(s) with the finding to support the non-compliance.

The provider/facility is given ten (10) days to develop and submit a corrective plan of action including the date compliance is to be achieved. To obtain a copy of the *Statement of Deficient Practice*, you can request one through the [Public Document Request](#) site.

What if concerns are not substantiated?

The survey teams conducting the inspection sometimes are not able to substantiate or validate concerns as stated. However, this may not be an indication that the concern or allegation did not occur, but rather the team was not able to obtain adequate corroborating evidence through record review, interviews, and/or observations to determine non-compliance with the regulations or rules.

[<< Back](#)

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